

May-19-1981

FILE: MINUTES

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, MAY 19, 1981

AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING: The meeting was called to order by Mayor Wilson at 8:49 a.m. The meeting was recessed by Mayor Wilson at 12:27 a.m. to reconvene at 2:00 p.m. The meeting was reconvened by Mayor Wilson at 2:17 with Councilmember Schnaubelt not present. The meeting was recessed by Mayor Wilson at 2:28 p.m. into Closed Session in the Twelfth Floor Conference Room on pending litigation. The meeting was reconvened by Mayor Wilson at 3:54 p.m. with Councilmembers Mitchell and Schnaubelt not present. The meeting was adjourned by Mayor Wilson at 5:20 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-present.

(1) Councilmember Mitchell-present.

(2) Councilmember Cleator-present.

(3) Councilmember Golding-present.

(4) Councilmember Williams-present.

(5) Councilmember Schnaubelt-present.

(6) Councilmember Gotch-present.

(7) Councilmember Murphy-present.

(8) Councilmember Killea-present.

Clerk-Abdelnour (mp/bb)

May-19-1981 ITEM-1:

FILE: MINUTES

DESCRIPTION:

Clerk Abdelnour called the roll:

Mayor Wilson-present.

Councilmember Mitchell-present.

Councilmember Cleator-present.

Councilmember Golding-present.

Councilmember Williams-present.

Councilmember Schnaubelt-present.

Councilmember Gotch-present.

Councilmember Murphy-present.

Councilmember Killea-present.

May-19-1981 ITEM-330:

DESCRIPTION:

(Continued from the Meetings of February 3 and 24, March 3 and 24 and April 21, 1981; last continued at the City Manager's request.) Ten Resolutions relative to the improvement of CAMINO DEL RIO SOUTH, TEXAS STREET TO I-805 ASSESSMENT DISTRICT under the Improvement Act of 1913, Resolution of Intention R-252941. (Mission Valley Community Area. DISTRICT-3.) Today's action is:

Subitem-A: (R-81-1136)

Adoption of a RESOLUTION OVERRULING PROTESTS ON RESOLUTION R-252941 of PRELIMINARY DETERMINATION AND OF INTENTION.

Subitem-B: (R-81-1137)

Adoption of a RESOLUTION FINDING AND DETERMINING that the public convenience and necessity require proposed ACQUISITIONS AND IMPROVEMENTS. (8_votes required.)

Subitem-C: (R-81-1138)

Adoption of a RESOLUTION ORDERING REDUCTION OF ASSESSMENTS.

Subitem-D: (R-81-1139)

Adoption of a RESOLUTION and ORDER adopting ENGINEER'S REPORT, CONFIRMING THE ASSESSMENT and ORDERING THE WORK AND ACQUISITIONS.

Subitem-E: (R-81-1140)

Adoption of a RESOLUTION AWARDED SALE OF BONDS.

Subitem-F: (R-81-1141)

Adoption of a RESOLUTION of AWARD OF CONTRACT.

Subitem-G: (R-81-1142)

Adoption of a RESOLUTION DESIGNATING COLLECTION OFFICER.

Subitem-H: (R-81-1559)

Adoption of a RESOLUTION ORDERING CHANGES in MODIFICATIONS.

Subitem-I: (R-81-1729)

Adoption of a RESOLUTION ORDERING CHANGES IN MODIFICATIONS, pursuant to the second Resolution of Intention, adopted March 3, 1981.

Subitem-J: (R-81-1827)

Adoption of a RESOLUTION ORDERING CHANGES in MODIFICATIONS pursuant to the third Resolution of Intention adopted on March 24, 1981. NOTE: Hearing open,

testimony taken on 2/3/81. Districts 2, 5, 7 and Mayor not present. Hearing open, testimony taken on 2/24/81. District 5 not present. Hearing open, no testimony taken on 3/3/81. District 4 and Mayor not present. District 7 ineligible. Hearing open, testimony taken on 3/24/81. District 7 ineligible. Hearing open, no testimony taken on 4/21/81. District 2 and Mayor not present. District 7 ineligible.

FILE: STRT D-2191

COUNCIL ACTION:

(Tape location: A038-B484)

Returned to the City Manager. Proceedings abandoned by Resolution R-256419.

Hearing began at 8:51 a.m. and halted at 10:07 a.m.

Councilmember Murphy left at 9:13 a.m.

Testimony in favor by Attorney J. Dawson, William Lane, and Glenn Kellogg.

Testimony in opposition by Julie Dillon, Duane Rudzinski, Dennis Marteeny, and Frank Sciacca.

MOTION BY GOLDING TO RETURN ITEMS 330 AND 331 TO THE CITY MANAGER FOR A

RECALCULATION OF PROPER DISTRIBUTION OF RESPONSIBILITY FOR PAYING THE

INCIDENTAL COSTS TO THE STREET IMPROVEMENT. Second by Schnaubelt. Passed by

the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Murphy-not present. Killea-yea. Mayor

Wilson-

yea.

May-19-1981 ITEM-331:

DESCRIPTION:

(R-81-1143) (Continued from the Meetings of February 3 and 24, March 3 and 24 and April 21, 1981; last continued at the City Manager's request.)

Establishing an UNDERGROUND UTILITY DISTRICT to be known and denominated as the CAMINO DEL RIO SOUTH (Texas Street to I-805) UNDERGROUND UTILITY DISTRICT.

(DISTRICT-3.) NOTE: Hearing open, no testimony taken on 2/3/81. Districts 2, 5, 7 and Mayor not present. Hearing open, no testimony taken on 2/24/81. Hearing open, no testimony taken on 3/3/81. District 4 and Mayor not present. District 7 ineligible. Hearing open, testimony taken on 3/24/81. District 7 ineligible. Hearing open, no testimony taken on 4/21/81. District 2 and Mayor not present. District 7 ineligible.

FILE: STRT - K119

COUNCIL ACTION:

(Tape location: A038-B484).

Returned to the City Manager.

Hearing on this item was in conjunction with Item 330 which began at 8:51 a.m.

and halted at 10:07 a.m.

Councilmember Murphy left at 9:13 a.m.

Testimony in favor by Attorney J. Dawson, William Lane, and Glenn Kellogg.

Testimony in opposition by Julie Dillon, Duane Rudzinski, Dennis Marteeny, and Frank Sciacca.

MOTION BY GOLDING TO RETURN TO THE CITY MANAGER WITH ITEM 330.

Second by

Schnaubelt. Passed by the following vote: Mitchell-yea. Cleator-yea.

Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-not present.

Killea-yea. Mayor Wilson-yea.

May-19-1981 ITEM-332:

DESCRIPTION: Matter of REZONING LOT 4, COLLEGIATE PARK UNIT NO. 2, MAP-5419

(approximately 4.43 acres), located on the east side of Genesee Avenue between Miramar Street and Eastgate Mall, in the University City Community Plan area, from ZONE R-1-5 to ZONE CO. (Case-5-80-066. DISTRICT-1.)

Subitem-A: (R-81-1966)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-80-07-11 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-81-223)

INTRODUCTION of an ORDINANCE for CO Zoning.

Subitem-C: (R-81-)

Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-80-07-11.

FILE: ZONE 5/19/81

COUNCIL ACTION:

(Tape location: F020-160)

Subitem-A adopted as Resolution R-254237.

Subitem-B introduced, to be adopted June 1, 1981.

Subitem-C adopted as Resolution R-254238.

Hearing began at 2:17 p.m. and halted at 2:28 p.m.

MOTION BY MITCHELL TO CLOSE HEARING, ADOPT SUBITEMS-A AND C AND

INTRODUCE

SUBITEM-B. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-yea.

May-19-1981 ITEM-333:

DESCRIPTION: Matter of REZONING a portion of SECTION 13, TOWNSHIP 14 SOUTH, RANGE 3 WEST, S.B.B.M. (approximately 40 acres), located on the north side of Sundance Avenue between Thunderhead Street and Abing Avenue, in the Penasquitos East Community Plan area, from ZONE A1-10 (portions HR) to ZONE R-1-5. (Case-5-81-017. DISTRICT-1.)

Subitem-A: (R-81-1965)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-80-03-29 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-81-222)

INTRODUCTION of an ORDINANCE for R-1-5 Zoning.

Subitem-C: (R-81-)

Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-80-03-29.

FILE: ZONE 5/19/81

COUNCIL ACTION:

(Tape location: D620-678)

Continued to June 9, 1981, at 8:30 a.m. Time Certain, by common consent.

May-19-1981 ITEM-334:

DESCRIPTION: APPEAL of SAVE TALMADGE CANYON COMMITTEE, by Wanita Wattenmaker

from the decision of the PLANNING COMMISSION in APPROVING: 1 - PLANNED RESIDENTIAL DEVELOPMENT PRD-20-203-0 to construct 93 multi-family dwelling units located on the real property described below. (PRD-20-203-0.

DISTRICT-3.) 2 - TENTATIVE SUBDIVISION MAP TM-01-074-0 (FAIRMOUNT), which propos

94-lot subdivision of the real property described below. (TM-01-074-0.

DISTRICT-3.) LOT 23, RANCHO MISSION OF SAN DIEGO, (approximately 67.6 acres), located on the east side of Fairmount Avenue and the south side of Montezuma Road, within the boundaries of the Mid-City Community Plan area, in the R-1-5

and R-1-40 (HR) ZONES. (Planning Department recommended DENIAL of the permit and the map; was opposition. Planning Commission voted 6-1 to APPROVE the permit and the map.)

Today's action is:

Subitem-A: (R-81-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-80-05-19 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-81-)

Adoption of a RESOLUTION granting the appeal and denying the permit, or denying the appeal and granting the permit with appropriate findings to support Council action.

Subitem-C: (R-81-)

Adoption of a RESOLUTION granting the appeal and denying the map, or denying the appeal and granting the map with appropriate findings to support Council action.

Subitem-D: (R-81-)

Adoption of a RESOLUTION containing appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-80-05-19.

FILE: PERM PRD-20-203-0, SUBD Fairmount

COUNCIL ACTION:

(Tape location: C345- E704)

Continued for 90 days.

Hearing began at 10:42 a.m. and halted at 12:27 p.m.

Councilmember Schnaubelt left at 11:05 and returned at 11:15 a.m.

Councilmember Mitchell left at 11:51 a.m.

Councilmember Cleator left at 12:20 p.m.

Testimony in favor of appeal by William Benjamin, Dr. Frank Medeiros, Dr. Paul Zedler, Marilyn Colombo, Steve Peace, Shirly Miller, and Verna Quinn.

Testimony in opposition of the appeal by Paul Peterson.

Testimony by Warren Neilsen.

Motion by Gotch to suspend the rules to permit twenty minutes of testimony and rebuttal per side. Second by Murphy. Passed by the following vote: Yeas-1, 2, 3, 4, 5, 6, 7, 8, M. Nays-None. Not present-None.

Motion by Schnaubelt to deny the appeal and grant the map and permit subject to the one-year provision. Second by Cleator. No vote.

MOTION BY WILLIAMS TO CLOSE THE HEARING AND TO CONTINUE THE ITEM TO AUGUST 18,

1981, AT 10:00 A.M. TO: (1) ALLOW THE APPLICANT TIME TO EXPLORE ALTERNATIVES, AND (2) ALLOW THE PLANNING GROUP TIME TO DEMONSTRATE GOOD FAITH REGARDING ACQUISITION OF THE CANYON, WHICH MUST BE ACCOMPLISHED ONE YEAR FROM THIS DATE.

Second by Killea. Passed by the following vote: Mitchell-not present. Cleator-not present. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-yea.

May-19-1981 ITEM-S406:

DESCRIPTION: (Continued from the Meeting of May 11, 1981 at the Mayor's request.) Matter of CLARIFYING the Council vote on Docket Item 53, January 5, 1981, adoption of REZONING of LOT 10, VILLA LA JOLLA UNIT NO. 4, MAP-6985 (La Jolla Village Square). (Case 5-80-060. DISTRICT-1.)

FILE: ZONE 5/18/81

COUNCIL ACTION:

(Tape location: F160-340).

Adopted as Ordinance O-15502.

MOTION BY GOTCH TO ADOPT. Second by Williams. Passed by the following vote:

Mitchell-nay. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea.

Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-ineligible.

May-19-1981

ITEM-S500:

DESCRIPTION: Matter of a report from the City Manager on the TORREY PINES PROPERTIES as requested by Council on May 12, 1981. (See City Manager Report CMR-81-207.)

FILE: MEET

COUNCIL ACTION: (Tape location: F474-H230).

Adopted as Resolution R-254239.

Motion by Cleator to include reservoir property for auction, with cost of property to be based on a minimum price of \$18.50 per square foot, and employment of at least 30 persons per acre at the conclusion of the third year of operation, exclusive of corporate headquarters. No second.

Motion by Schnaubelt to continue one week. No second.

MOTION BY MITCHELL TO INCLUDE RESERVOIR PROPERTY FOR AUCTION WITH COST OF

PROPERTY TO BE BASED ON A MINIMUM PRICE OF \$18.50 PER SQUARE FOOT; CHANGE

AUCTION DATE FROM JUNE 22 TO JUNE 29, AND JUNE 8 TO JUNE 22; DELETE WORDS

"OR A PURCHASER WITH A COMMITMENT FROM A SINGLE USER FOR THE ENTIRE SITE"

ON PAGE 2 PARAGRAPH 3.A.; DELETE WORD "AGREEMENT" AND ADD "BY BIDDERS" ON
PAGE 3 PARAGRAPH D.; CONDITIONS ON PAGE 3 PARAGRAPH 3D5 NOT TO APPLY TO
CORPORATE HEADQUARTERS; AND IF PROPERTY IS SOLD WITHIN FIVE YEARS, THE
CITY WOULD BE ENTITLED TO 80% OF THE INCREASE IN THE VALUE OF THE
LAND, 60%
IN THE NEXT FIVE YEARS AND AUTHORIZE WAIVER IF THERE IS RE-LOCATION
WITHIN
THE CITY OF SAN DIEGO FOR PURPOSES OF EXPANSION. Second by Murphy. Passed
by the following vote: Mitchell-yea. Cleator-yea. Golding-yea.
Williams-yea. Schnaubelt-nay. Gotch-yea. Murphy-yea. Killea-yea. Mayor
Wilson-yea.

May-19-1981 ITEM-UC-2:

DESCRIPTION:

(R-81-2172) A Resolution presented to the City Council with UNANIMOUS CONSENT:
Urging the United States Congress to seriously consider amendments to Section
13C of the Urban Mass Transportation Act which will enable and allow states
and local entities to treat public transit employees as public employees for
purposes of their conditions of employment and establish the terms thereof and
prohibit the right of public transit employees to strike or demand compulsory
binding interest arbitration. Also authorizing a representative of the City
Attorney's office to travel to Washington, D.C. May 19-21, 1981, to provide
written and oral testimony and to incur all necessary expenses.

FILE: MEET

COUNCIL ACTION: (Tape location: B530-585).

Adopted as Resolution R-254235.

MOTION BY GOLDING TO ADOPT. Second by Cleator. Passed by the following vote:
Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea.
Gotch-yea. Murphy-yea. Killea-not present. Mayor Wilson-yea.

May-19-1981 ITEM-UC-3:

DESCRIPTION:

(R-81-2171) A Resolution presented to the City Council with UNANIMOUS CONSENT:
Determining Triple L Enterprises is not a responsible bidder and authorizing
the City Manager to execute a service contract with Bekins Building
Maintenance Company for certain payroll and labor contract services at the
City Convention and Performing Arts Center under the terms and conditions set
forth in the contract.

FILE: MEET

COUNCIL ACTION: (Tape location: B586- C285).

Motion and second trailed from Monday, May 18, 1981. Adopted as Resolution R-254236.

MOTION BY CLEATOR TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-yea.

May-19-1981 ITEM-UC-4:

DESCRIPTION:

(R-81-2023) A Resolution presented to the City Council with UNANIMOUS CONSENT: Accepting the low bid of Penick Development Corporation and authorizing a contract for relocation of Balboa Park Nursery Building in the amount of \$29,013.00

FILE: MEET

COUNCIL ACTION: (Tape location: F360-474).

Adopted as Resolution R-254240.

MOTION BY CLEATOR TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-not present. Cleator-yea. Golding-yea. Williams-nay. Schnaubelt-yea. Gotch-nay. Murphy-yea. Killea-yea. Mayor Wilson-yea.

May-19-1981 ITEM-UC-5:

DESCRIPTION:

(R-81-0000) A Resolution presented to the City Council with UNANIMOUS CONSENT: Excusing Mayor Pete Wilson from the City Council meeting of Tuesday, May 26, 1981, for the purpose of vacation.

FILE: MEET

COUNCIL ACTION: (Tape location: H300-329).

Adopted as Resolution R-254241.

MOTION BY WILLIAMS TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea. Cleator-yea. Golding-yea. Williams-yea. Schnaubelt-yea. Gotch-yea. Murphy-yea. Killea-yea. Mayor Wilson-yea.

May-19-1981 ITEM-CS-1:

DESCRIPTION:

(R-81-2101) A Resolution adopted by the City Council in Closed Session on May 19, 1981:

Authorizing the City Manager to pay the total sum of \$1,551.85, in addition to \$4,720.40 already expended, in settlement of each and every claim against the City, its agents and employees, resulting from the property damage to Three Mermaids; authorizing the City Auditor and Comptroller to issue one check in the amount of \$1,551.85 to Izabella Ruthkowska in full settlement of all claims.

FILE: MEET CITY_

COUNCIL ACTION: Adopted as Resolution R-254242.

May-19-1981 ITEM-CS-2:

DESCRIPTION:

(R-81-2165) A Resolution adopted by the City Council in Closed Session on May 19, 1981:

Authorizing the City Manager to pay the total sum of \$80,000.00 in settlement of the Cross-Complaint for Indemnity against the City of San Diego, its agents and employees (Superior Court Case No. 433980), D'Alessio, et all. v. Stephens, et al.) resulting from the personal injuries to Frances D'Alessio; authorizing the City Auditor and Comptroller to issue one check in the amount of \$80,000 to Frances A. Stephens and her attorney Vincent J. Bartolotta, Jr. in settlement of said cross-complaint. Said funds are to be payable from Fund No. 81140, Public Liability Reserve Fund.

FILE: MEET CITY_

COUNCIL ACTION: Adopted as Resolution R-254243.

May-19-1981 ITEM-CS-3:

DESCRIPTION:

(R-81-2158) A Resolution adopted by the City Council in Closed Session on May 19, 1981:

Authorizing the City Manager to pay the total of \$12,500.00 in the settlement of each and every claim against the City of San Diego, its agents and employees (Superior Court Case No. 435162, Howard Herbert Smith v. Chris Joseph Meaux, etc., et al.) resulting from the personal injury to Howard Smith; authorizing the City Auditor and Comptroller to issue one check in the amount of \$12,500.00 to Howard Smith and his attorney Donald W. Schmidt in full settlement of all claims.

FILE: MEET CITY_

COUNCIL ACTION: Adopted as Resolution R-254244.

May-19-1981 ITEM-CS-4:

DESCRIPTION:

(R-81-2159) A Resolution adopted by the City Council in Closed Session on May 19, 1981:

Authorizing the City Manager to pay the total sum of \$40,000.00 in settlement of each and every claim against the City of San Diego, its agents and employees (Superior Court Case No. 387409, John F. Dunkel, et al. v. City of San Diego, et al.) resulting from the personal injuries to John F. Dunkel and his wife Gloria Dunkel; authorizing the City Auditor and Comptroller to issue one check in the amount of \$40,000.00 to Gloria A. Dunkel and her attorney Thomas W. Hauser in full settlement of all claims.

FILE: MEET CITY_

COUNCIL ACTION: Adopted as Resolution R-254245.

May-19-1981 ITEM-CS-5:

DESCRIPTION:

(R-81-2160) A Resolution adopted by the City Council in Closed Session on May 19, 1981:

Authorizing the City Manager to pay the total sum of \$58,250.00 in settlement of each and every claim against the City of San Diego, its agents and employees (Superior Court Case No. 395368, Michael John Tyrolt, etc., et al. v. City of San Diego, et al.) resulting from the fatal injuries to Janet Doris Tyrolt; authorizing the City Auditor and Comptroller to issue one check in the amount of \$58,250.00 to Michael John Tyrolt and his attorney Brian D. Monaghan, in full settlement of the lawsuit and of all claims.

FILE: MEET CITY_

COUNCIL ACTION: Adopted as Resolution R-254246.

May-19-1981 ITEM-CS-6:

DESCRIPTION:

(R-81-2166) A Resolution adopted by the City Council in Closed Session on May 19, 1981:

Authorizing the City Manager to pay the total sum of \$7,853.31 in settlement of each and every claim against the City of San Diego, its agents and employees resulting from the property damage to Betty Milton; authorizing the City Auditor and Comptroller to issue one check in the amount of \$7,853.31 to Luth & Turley, Inc. for restoration to the property of Betty Milton.

FILE: MEET CITY_

COUNCIL ACTION: Adopted as Resolution R-254247.

May-19-1981 ITEM-CS-7:

DESCRIPTION:

(R-81-2161) A Resolution adopted by the City Council in Closed Session on May 19, 1981:

Authorizing the City Manager to pay the total sum of \$8,000.00 in settlement of each and every claim against the City, its agents and employees (Superior Court Case No. 443241, Jose Jesus Flores and Jesus R. Flores v. the County of San Diego, et al.) resulting from the alleged personal injuries of Jose Jesus Flores, and the alleged property damage claims of Jesus R. Flores; authorizing the City Auditor and Comptroller to issue one check in the amount of \$7,000 to Jose Jesus Flores and his attorney Domingo R. Quintero, and one check in the amount of \$1,000 to Jesus R. Flores and his attorney Domingo R. Quintero.

FILE: MEET CITY_

COUNCIL ACTION: Adopted as Resolution R-254248.

May-19-1981 ITEM-CS-8:

DESCRIPTION:

(R-81-2163) A Resolution adopted by the City Council in Closed Session on May 19, 1981:

Authorizing the City Manager to pay the total sum of \$35,000.00 in settlement of each and every claim against the City of San Diego, its agents and employees (Superior Court Case No. 422944, Kenneth J. Kopecky, et al. v. City of San Diego, et al.) resulting from the erosion damage to plaintiffs' property; authorizing the Auditor and Comptroller to issue one check in the amount of \$35,000.00 to Kenneth J. Kopecky and Joann F. Kopecky and their attorneys Duckor & Spradling in full settlement of all claims.

FILE: MEET CITY_

COUNCIL ACTION: Adopted as Resolution R-254249.

May-19-1981 ITEM-CS-9:

DESCRIPTION:

(R-81-2164) A Resolution adopted by the City Council in Closed Session on May 19, 1981:

Authorizing the City Manager to pay the total sum of \$7,000.00 in settlement of each and every claim against the City of San Diego, its agents and employees (Superior Court Case No. 422945, Benjamin Paul Ford v. City of San Diego et al.) resulting from erosion damage to plaintiff's property; authorizing the Auditor and Comptroller to issue one check in the amount of \$7,000.00 to Benjamin Paul Ford and his attorney Duckor & Spradling in full settlement of all claims.

FILE: MEET CITY_

COUNCIL ACTION: Adopted as Resolution R-254250.

May-19-1981 ADJOURNMENT:

FILE: MINUTES

DESCRIPTION:

By common consent the meeting was adjourned by Mayor Wilson at 5:20 p.m.